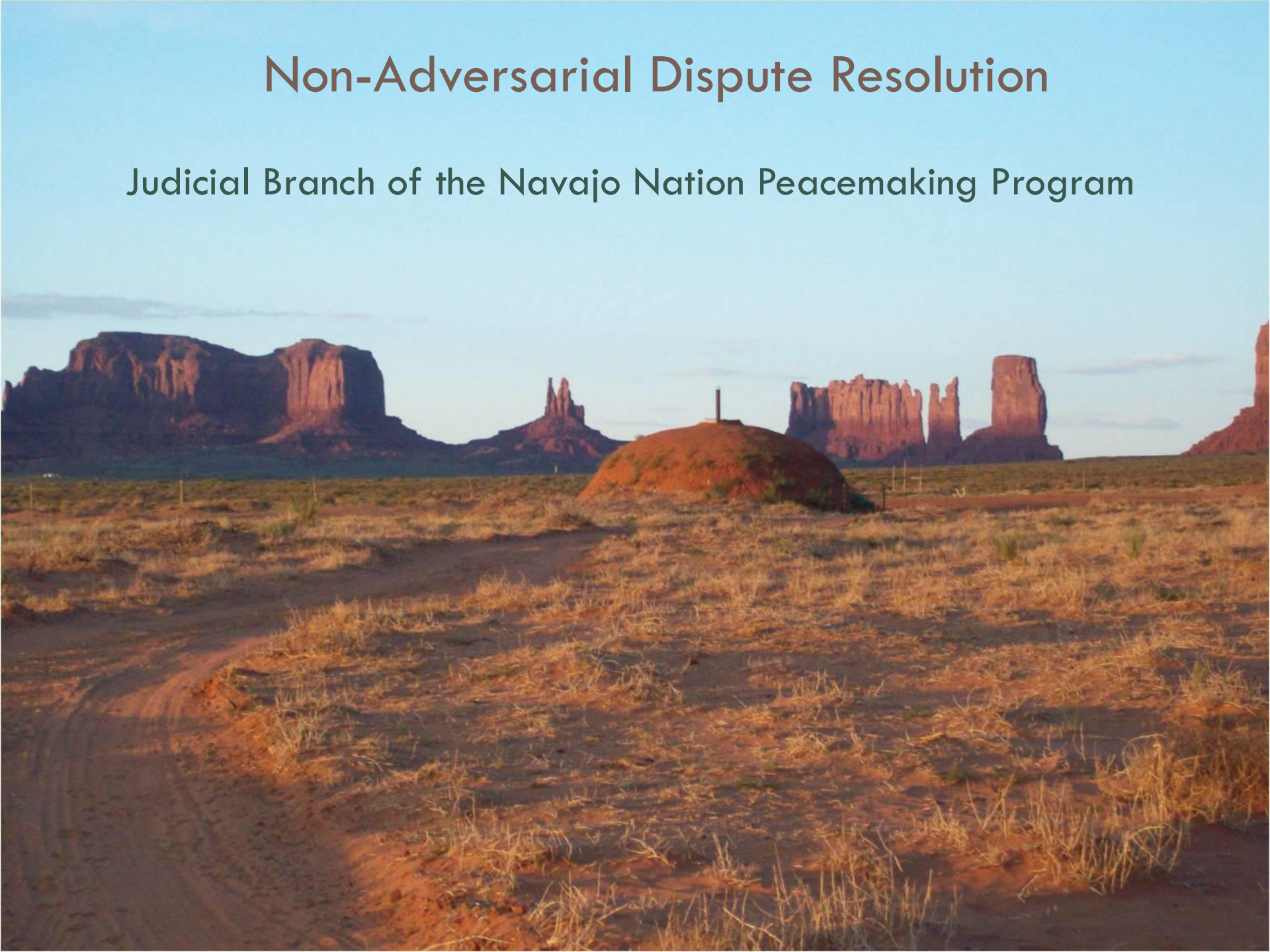


# Non-Adversarial Dispute Resolution

Judicial Branch of the Navajo Nation Peacemaking Program



# Presenter



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- ❑ **Fax: 928-871-6120**



# Judicial Branch - Vision

- It is our vision that the present judicial system, consisting of an adversarial-style tribal court system modeled on Anglo courts, a peacemaking system modeled on Diné original dispute resolution methods, and Probation and Parole Services, will fully embody the value and processes of the Navajo People, including family and clan-centered Navajo values. Our justice system as a whole will truly reflect the heart and soul of the Diné. It will be one that the People can recognize as their own and fully participate in the spirit of nábináhaazláago.

# Judicial Branch - Mission

- The Judicial Branch will provide stability in the Navajo Nation government by providing, court, peacemaking, and probation and parole services to adjudicate cases, resolve disputes, rehabilitate individuals and families, restore harmony, educate the public, agencies, services and other governments in Diné beenahaz' áanii, and protect persons and property pursuant to Navajo Nation laws, customs, traditions, and applicable federal laws. Pursuant to Diné beenahaz' áanii, the Judicial Branch will carefully develop a justice system that fully embodies the traditional values and processes of the Navajo People.

# Judicial Branch

## Peacemaking Program



### □ 7 N.N.C § 410. Purpose

The purpose of the NN Peacemaking Program include: to promote a non-adversarial forum for solving disputes where the parties to the dispute voluntarily agree or are referred to peacemaking;

- ❖ To promote peacemaking counseling services to clients of the NN Courts; to promote peacemaking support and assistance to the NN Courts when requested to make recommendations on sentencing;
- ❖ To promote education and training on Navajo culture, traditions and other Navajo accepted beliefs to individuals, organization and communities; to provide support and technical assistance to peacemakers;



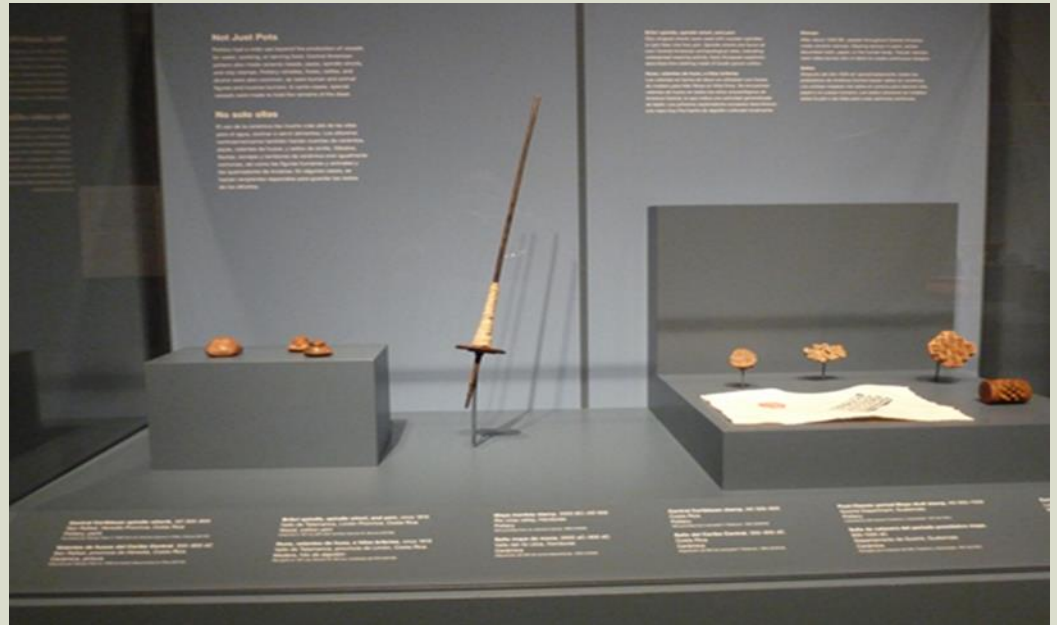
# Training for the Courts, Agencies, Communities

“The ultimate goal is for Hózhóji Naat’aah to return back to the people as a natural part of family, extended family, clan and community life ways.”



## 7 N.N.C § 410. Purpose Continued

- ❖ To promote the research, development, and learning of Navajo culture, traditions, and other Navajo accepted beliefs in support of judicial and community programs; and



## 7 N.N.C § 410. Purpose Continued

- ❖ Provide problem solving assistance to peacemakers, Judges, Court staff, and others concerning the peacemaking process. Peacemaking is intended to promote healing and reestablish harmony among those persons participating in peacemaking.





# Plan of Operations



- *The Plan implements 7 N.N.C. §§409-413 and recognizes the Peacemaking Program as an entity distinct from the district courts and generally describes its relationship in financial and technical support of community-based peacemakers, who are not subject to government-approved procedures in the conduct of traditional services. It further establishes that traditional services are distinct from court-based services, and are provided by an entity that is entirely independent from the courts.*

# Community Peacemakers

- Selection of Peacemakers
  - ▣ Community nomination or self commitment
  - ▣ Certification by Chapter Resolution
  - ▣ Application to the Judicial Branch PMP Judicial District
- Orientation/Training for Peacemakers
  - ▣ History of the Courts/Peacemaking
  - ▣ Plan of Operation/Rules & Policies/Case Management
  - ▣ Curriculum Training/Observation of PM Sessions
- Appointment to Cases

# Certified Peacemakers/Traditional Counselors



# Plan of Operation (continued)



- The Peacemaking Program accepted matters that would require court orders to achieve resolution. The courts make referrals by court order, these matters are directly addressed by simply facilitating a peacemaking session with the parties for resolution. The agreement is sent back to the court.
- In addition, this Plan of Operation provides information on the full range of Program services to the public, the courts, schools and agencies. The Plan sets forth details as to how the Program receives requests or referrals, and then arranges and provides those services.



# Plan of Operations (continued)

- Principles of Din4 bi beenahaz'1anii which is the Fundamental Laws of the Diné which in N.N.C. Title 1 are applicable in all Program services. These principles that are the living culture of the Din4 Life Way are conveyed primarily through verbal narratives. They may, at times, be written down, explained and elaborated on for Program use and applied for its processes and services for various purposes, including training, guidance, and teaching.



# 26 N.N.C. § 103

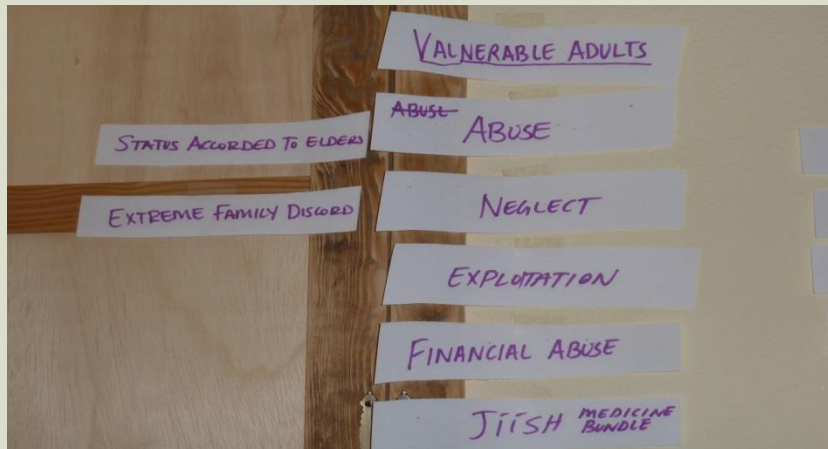
## Chapter authority/Collaboration Agencies



- (D)(10) Establish a peacemaking system or administrative procedure for resolving disputes arising from chapter resolutions, ordinances, or administrative action; including matters arising from personal disputes.
- The peacemaking system should emphasize Navajo custom for resolving disputes not otherwise contrary to Navajo law and/or custom.

# Technical Assistance & Community Needs & Ordinances

- Provide administrative/technical assistance/strategic planning for the development of dispute resolution program specific to Title 1, Title 7, Title 9, Title 17, Title 26.
- Identify the needs, ordinances, personnel, funds and dispute resolution processes.
- Examples: trash, over grazing, animal control, graffiti and etc..



# Staff / Central / Districts

Program Coordinator

Bicultural Training Manager

Traditional Dine Researcher

Community Development Specialist

Support Staff Assistant

12 Traditional Program Specialist/8 Office Technician, Judicial Districts

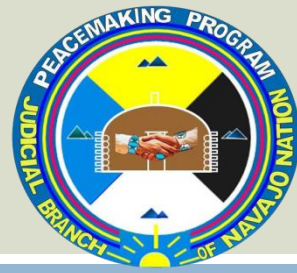




# The program collaboration with Agencies



# Training on dispute resolution



- Training on Dispute Resolution for Agencies Resources, Task Forces, Peacemakers, Administrators, Chapter Officials, Grazing Representatives, Community Land Board Representatives and the Public.





# Curriculums & Policy Development

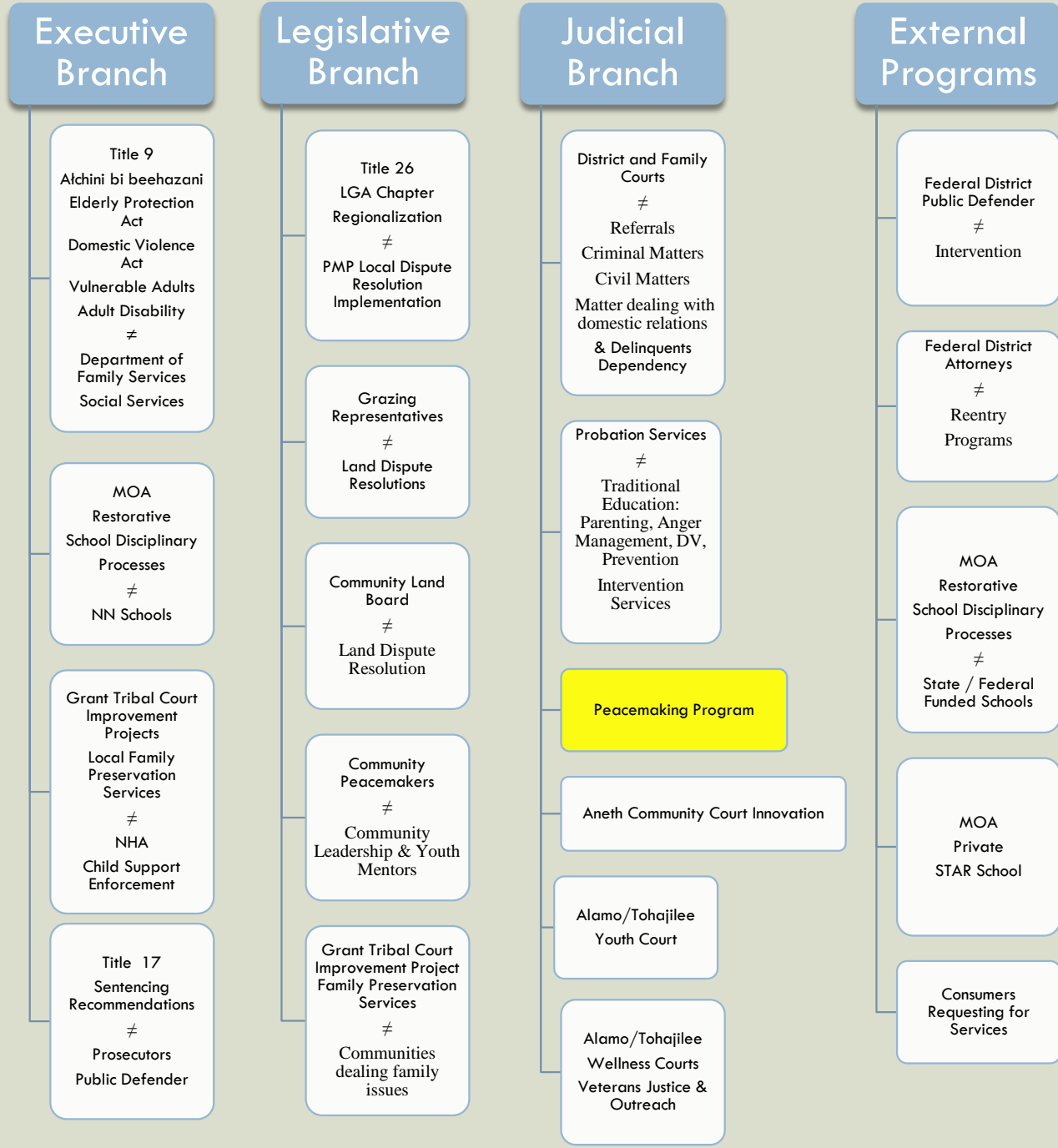
- Curriculum Development
- Mentoring Services for Peacemakers/Youth Peacemakers

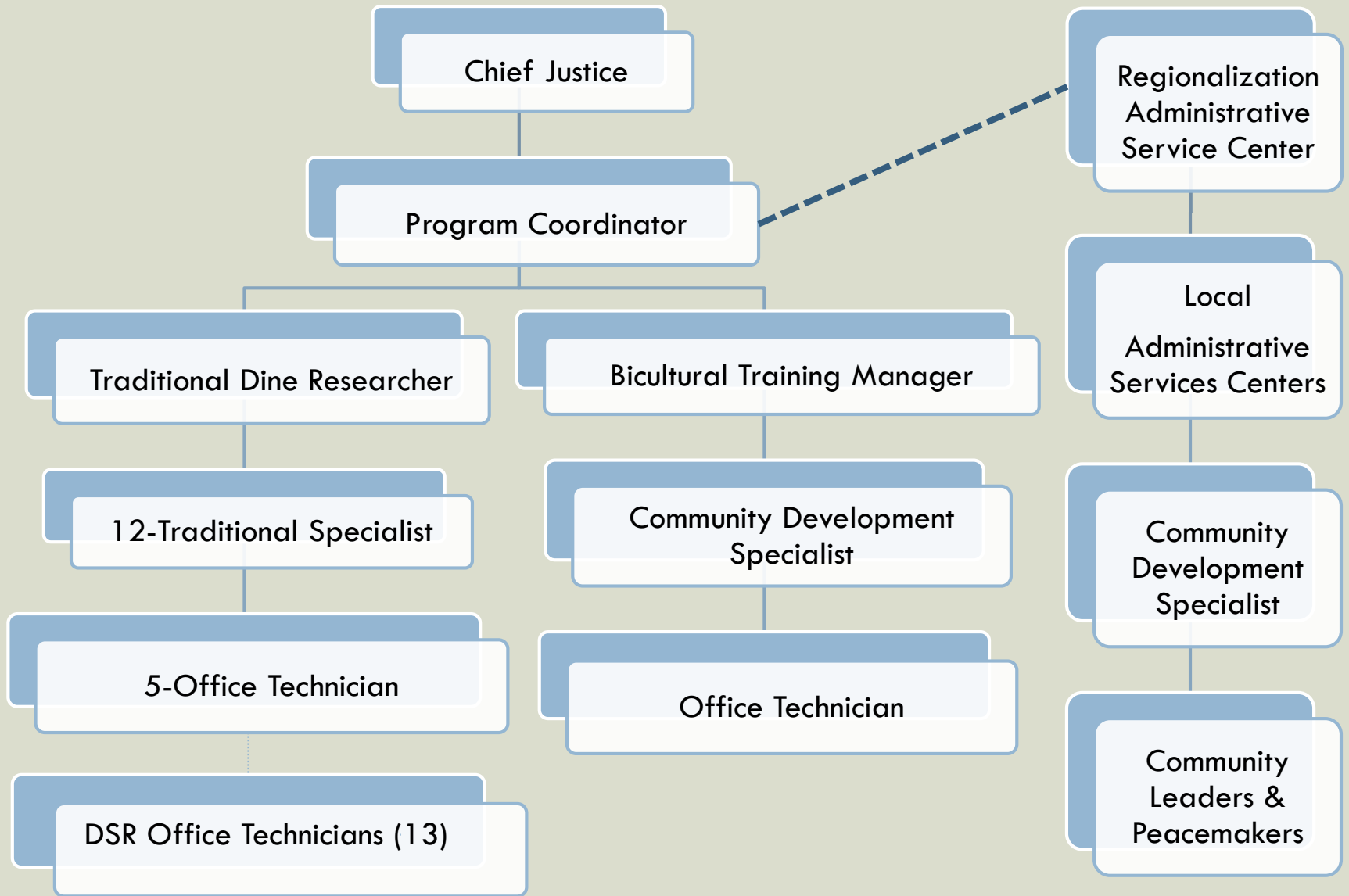


# PMP Services:

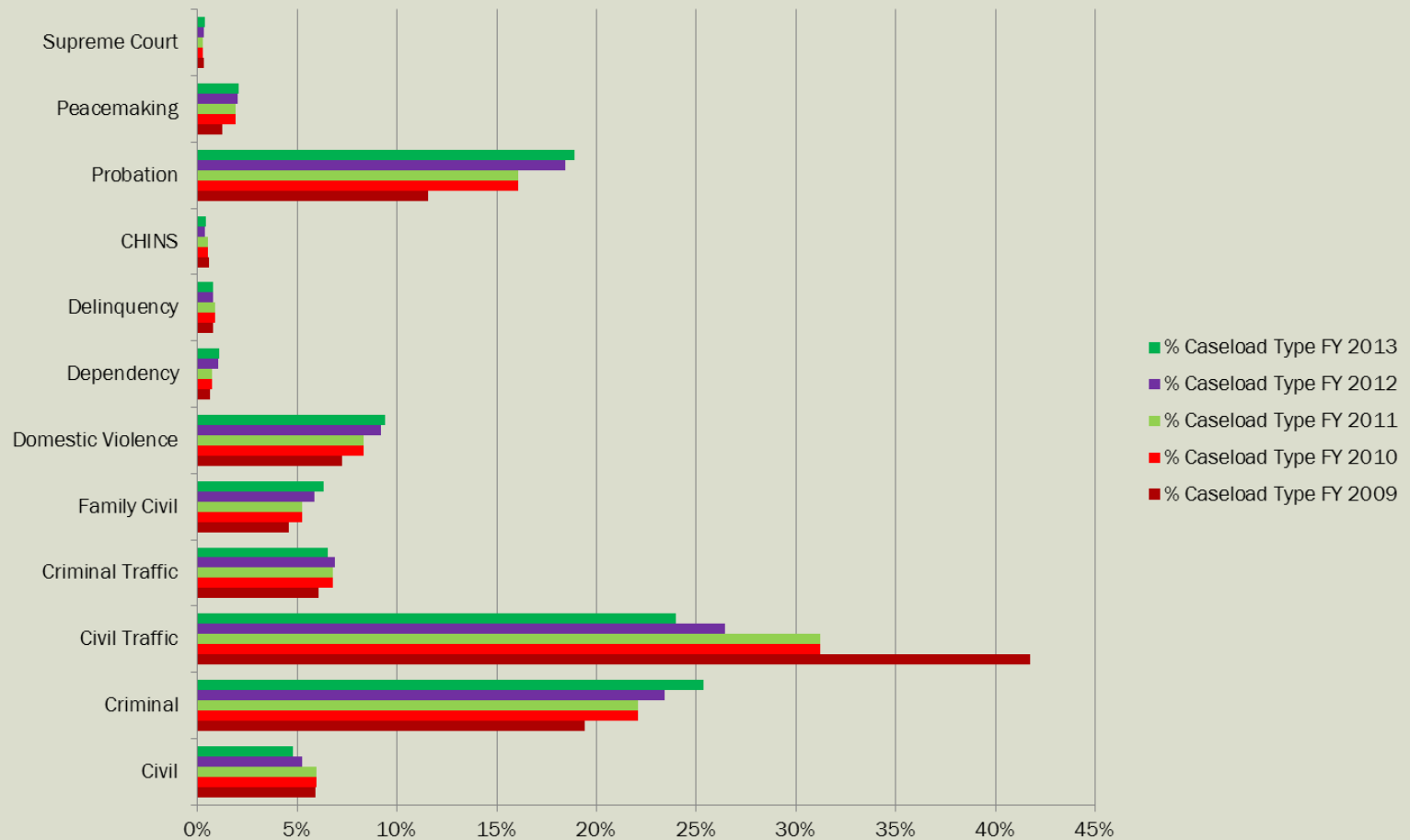
- Hózhóji Naat'aah - Dine Traditional Peacemaking
- ![chini B1ndazhnit'1 -Dine Family Group Conferencing
- N1bin1haazl1ago ![ch'I'y1ti - Live Value Engagement
- Peacemaking Youth Apprentice Mentoring Program
- Teaching Traditional Dispute Resolution
- School Presentations & Community Outreach
- Teaching and Research on Fundamental Laws of the Dine

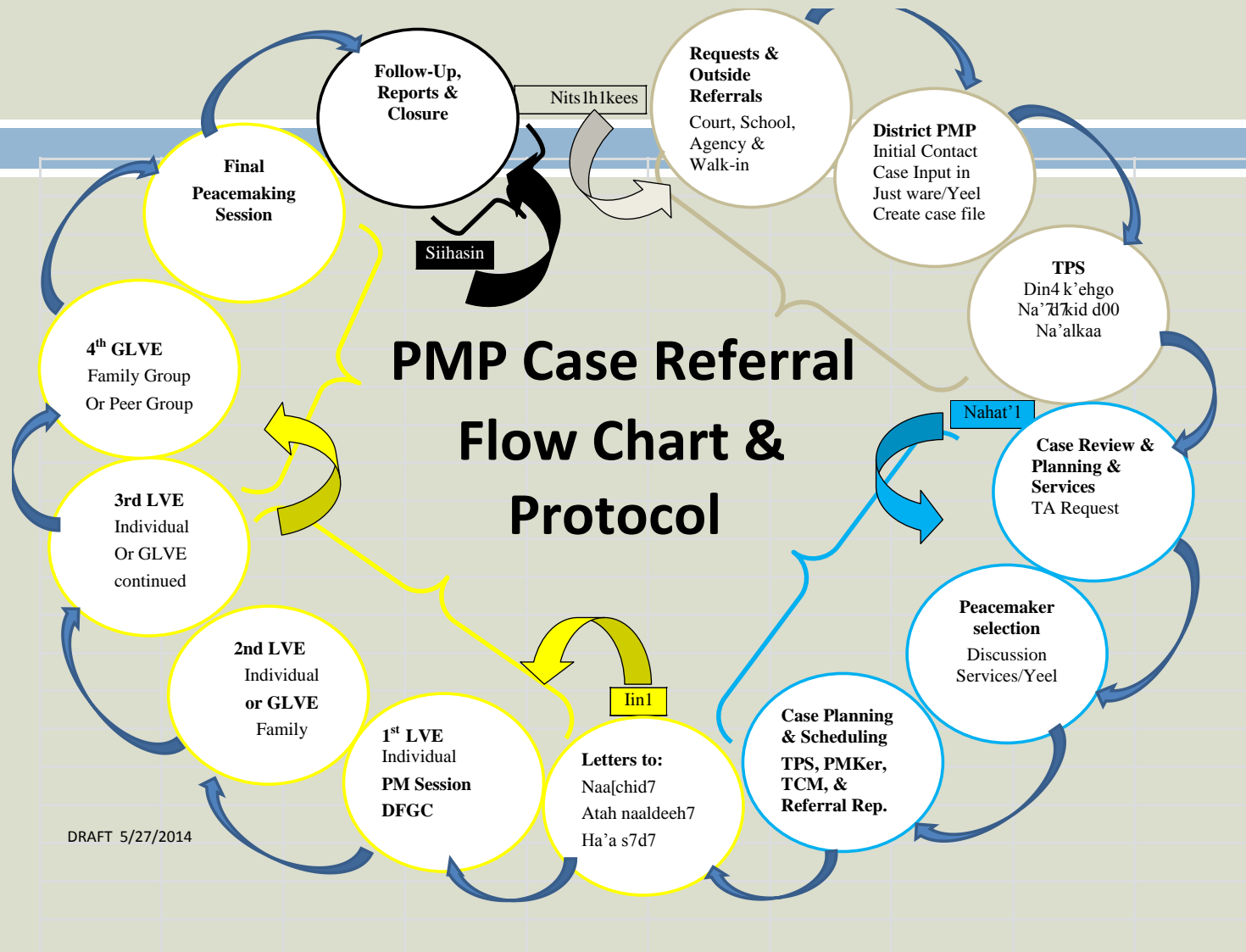






# Judicial Branch - Overall Statistics

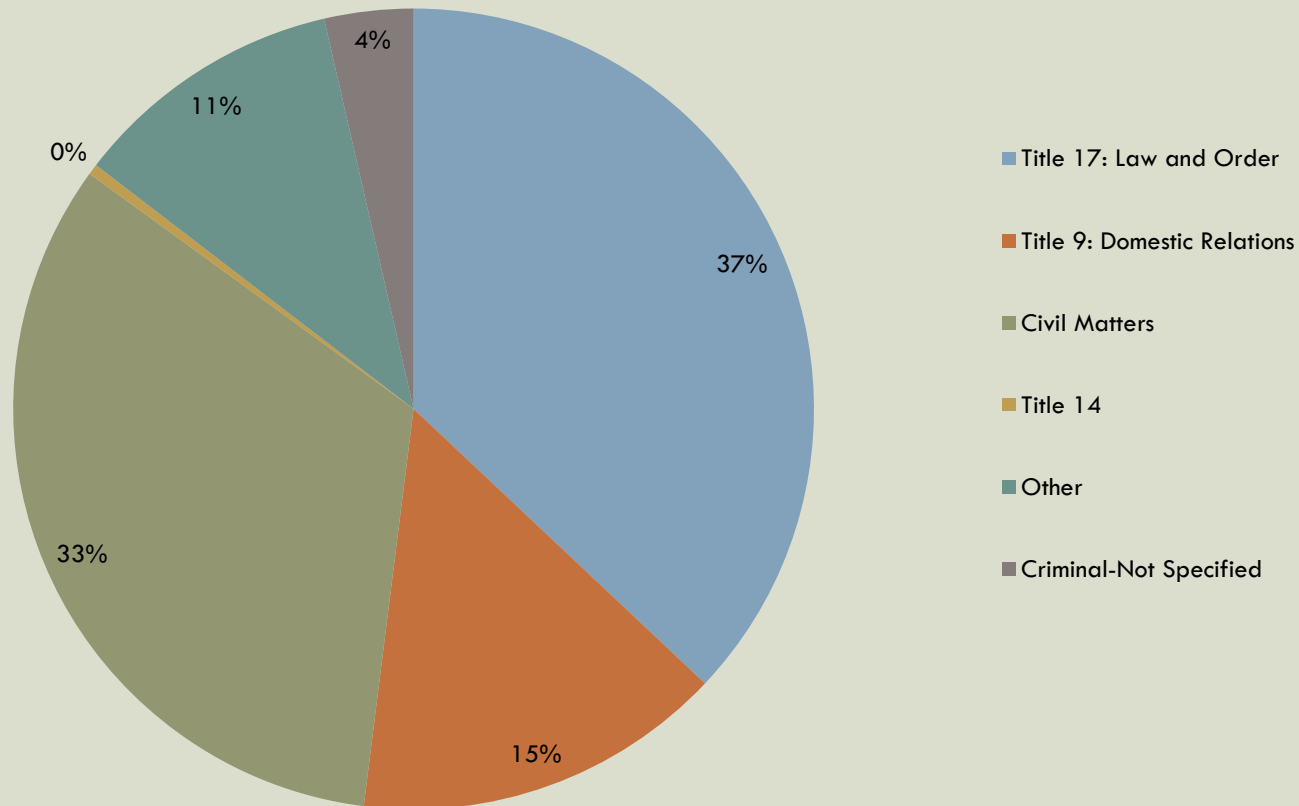




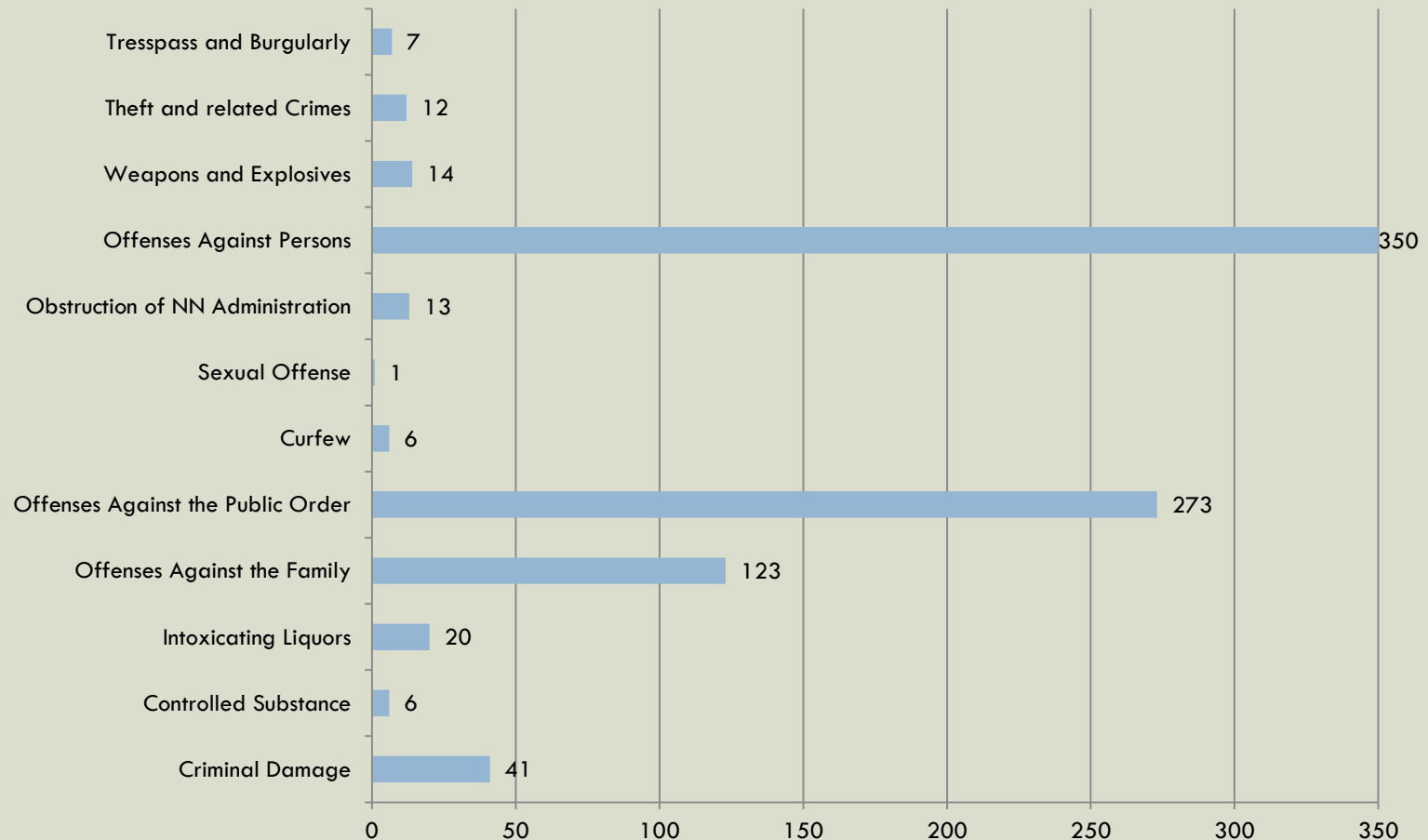


# Overall Statistics and Data

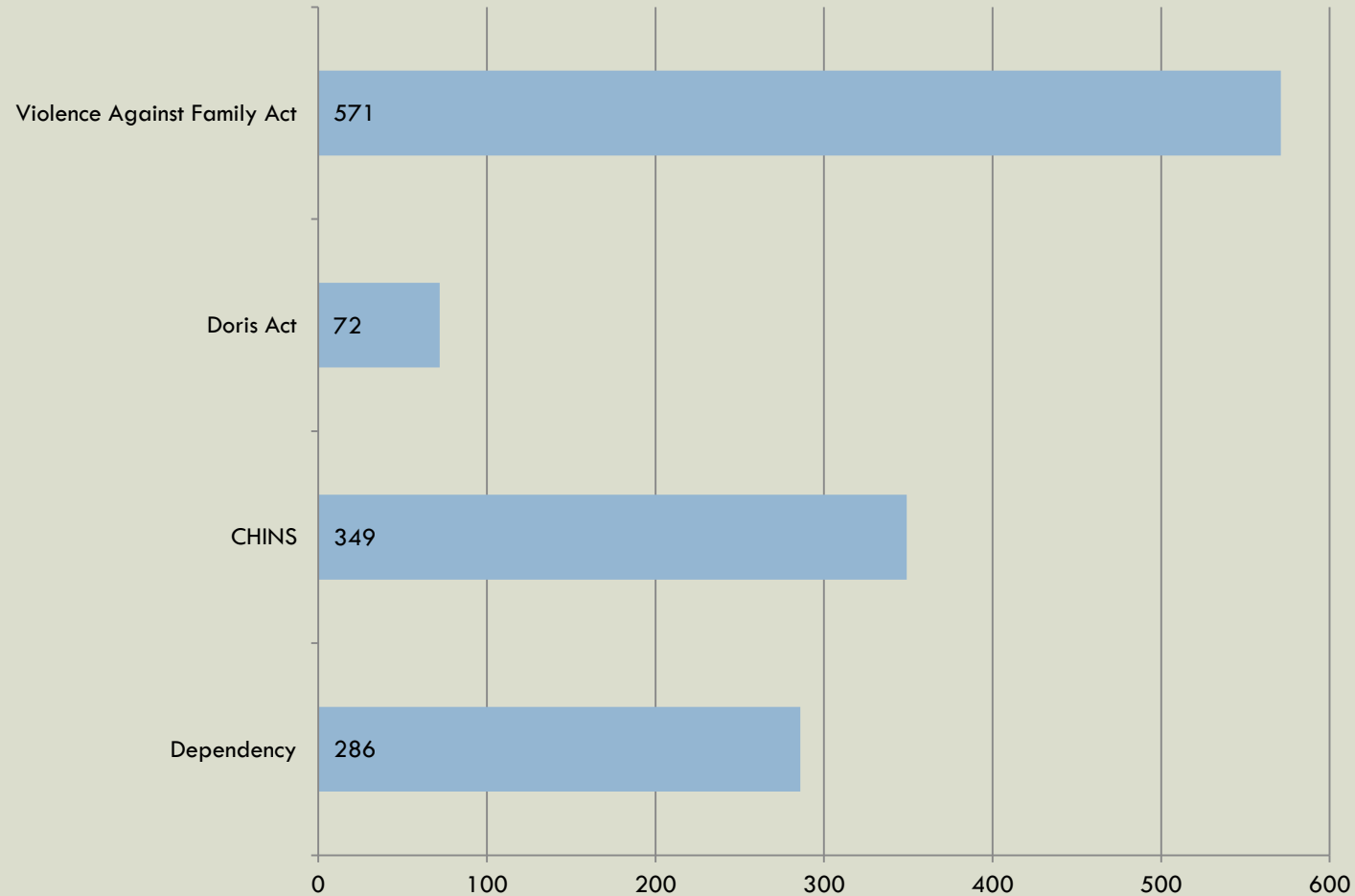
**Case Type: 2010-2014**



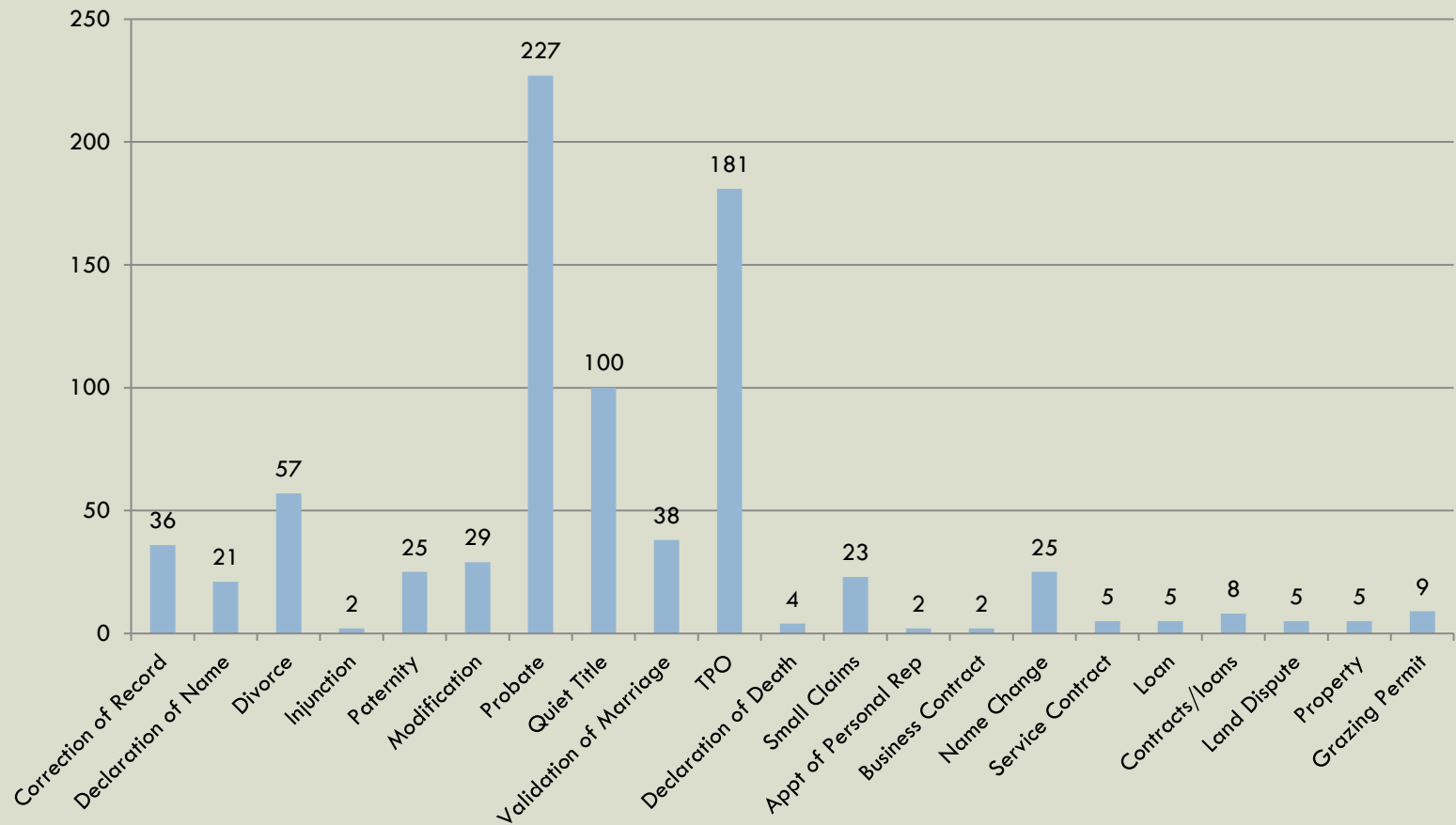
# Title 17: Broken down by categories

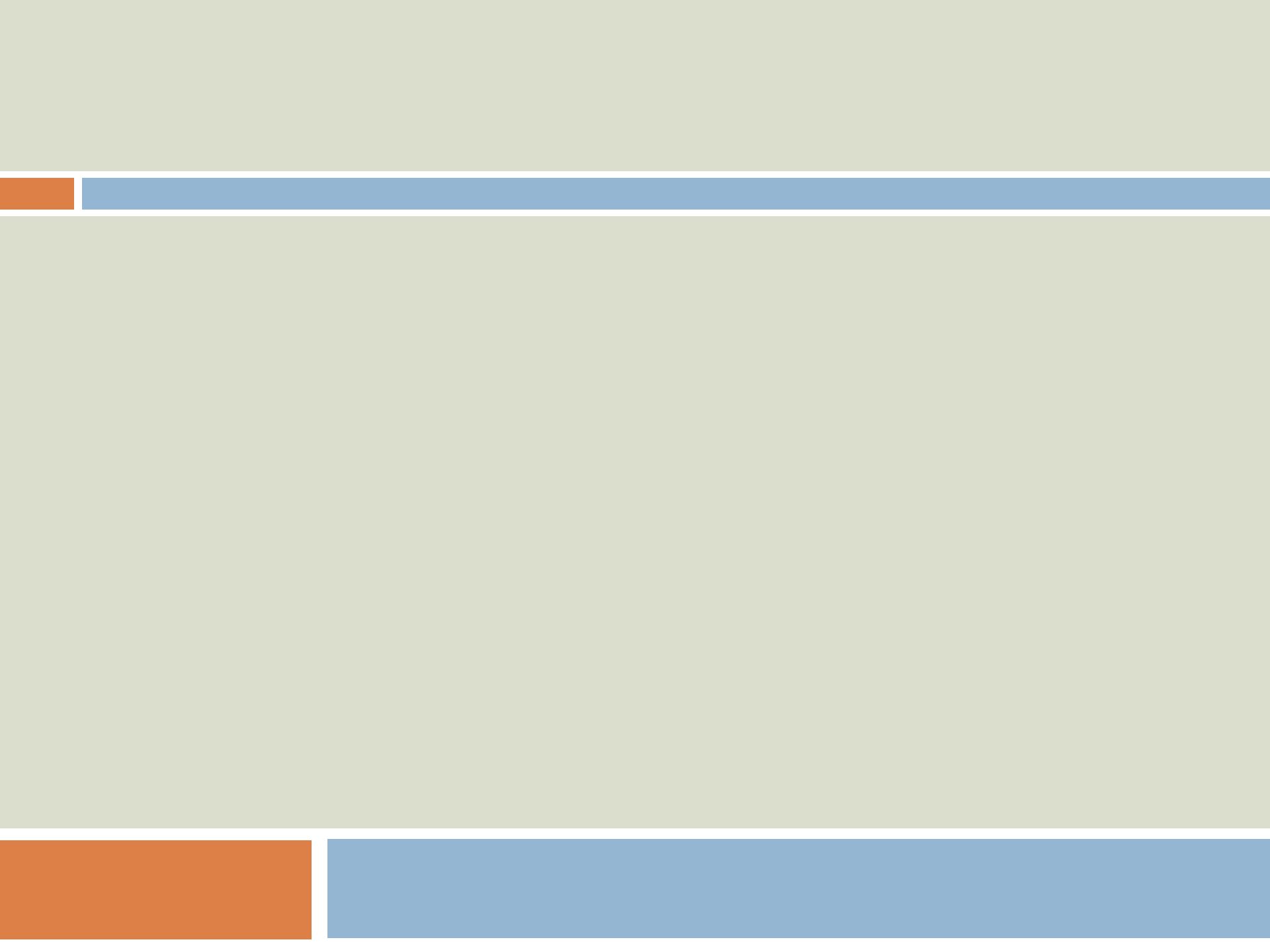


# Title 9: Broken down by Categories

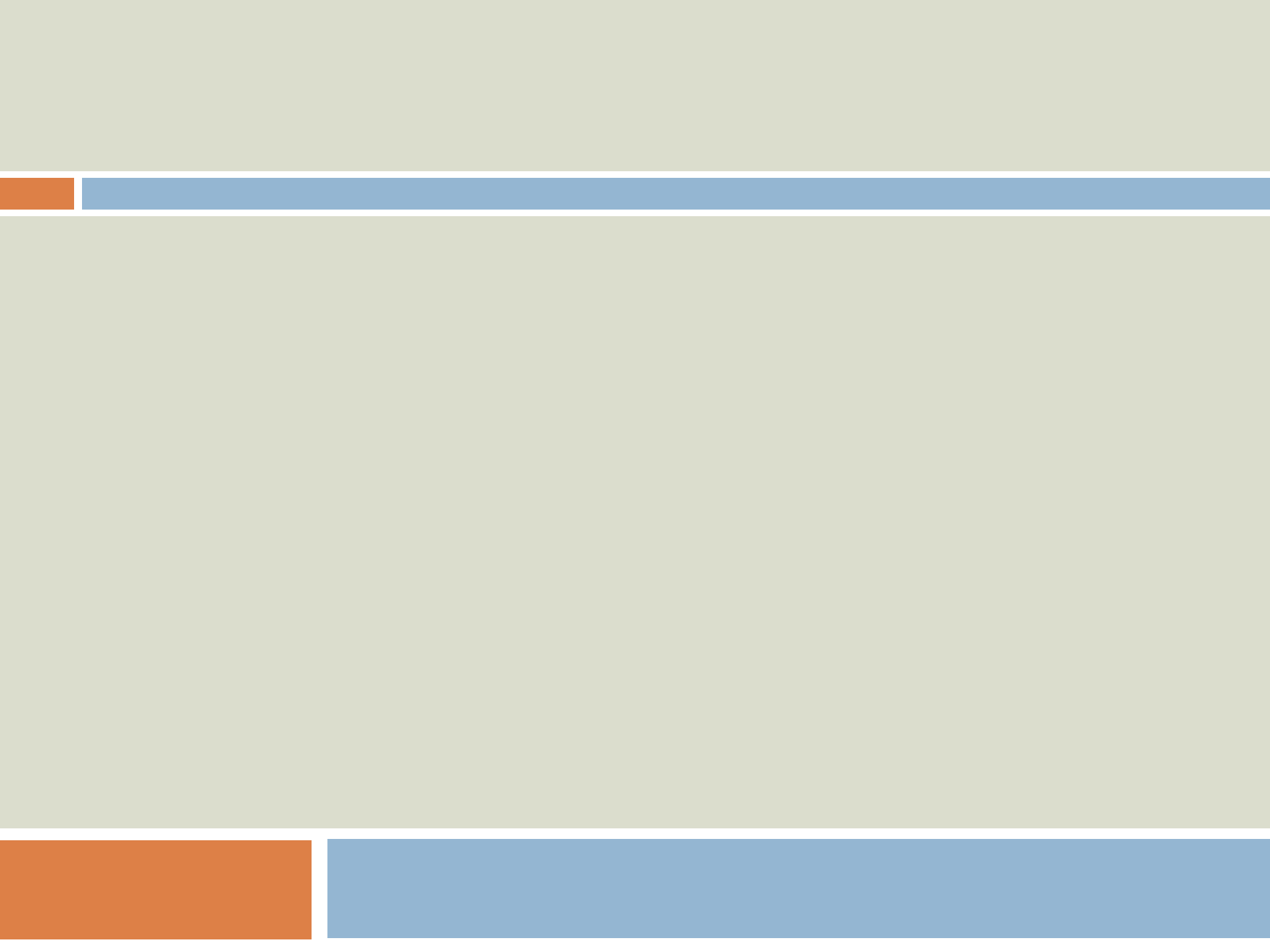


# Civil Matters









# Thank You

- Navajo Nation Judicial Branch Peacemaking Program

